

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JULIUS BRADFORD,

Petitioner,

v.

JEREMY BEAN, *et al.*,

Respondents.

Case No. 2:13-cv-01784-RFB-EJY

SCHEDULING ORDER

In this habeas corpus action, pro se Petitioner Julius Bradford filed a third amended habeas petition on April 2, 2024. ECF No. 227. In this order, the Court sets a schedule for further proceedings. This scheduling order supersedes all previous scheduling orders in this case. The following schedule will govern further proceedings in this action unless and until the Court orders otherwise:

Response to Third Amended Petition. Respondents will have 90 days from the date this order is filed to file an answer or other response to the third amended petition.

Reply. Petitioner will have 60 days following the filing of an answer to file a reply. Respondents will have 30 days following the filing of a reply to file a response to the reply.

Briefing of Motion to Dismiss. If Respondents file a motion to dismiss, Petitioner will have 60 days following that filing to file a response to the motion. Respondents will then have 30 days to file a reply.

Discovery. If Petitioner wishes to move for leave to conduct discovery, he must file such a motion concurrently with, but separate from, the response to Respondents' motion to dismiss or the reply to Respondents' answer. Any such motion filed before that time may be considered premature and may be denied without prejudice on that basis. Respondents must file a response to any such motion concurrently with, but separate from, their reply in support of their motion to

1 dismiss or their response to Petitioner's reply. Petitioner will thereafter have 20 days to file a reply
2 in support of the motion for leave to conduct discovery.

3 Evidentiary Hearing. If Petitioner wishes to request an evidentiary hearing, he must file a
4 motion for an evidentiary hearing concurrently with, but separate from, the response to
5 Respondents' motion to dismiss or the reply to Respondents' answer. Any such motion filed before
6 that time may be considered premature and may be denied without prejudice on that basis. The
7 motion for an evidentiary hearing must specifically address why an evidentiary hearing is required
8 and must meet the requirements of 28 U.S.C. § 2254(e). The motion must state whether an
9 evidentiary hearing was held in state court, and, if so, state where the transcript is located in the
10 record. If Petitioner files a motion for an evidentiary hearing, Respondents must file a response to
11 that motion concurrently with, but separate from, their reply in support of their motion to dismiss
12 or their response to Petitioner's reply. Thereafter, Petitioner will have 20 days to file a reply in
13 support of the motion for an evidentiary hearing.

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15 **DATED:** April 10, 2024.

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18 **RICHARD F. BOULWARE, II**
19 **UNITED STATES DISTRICT JUDGE**
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